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- San Bernardino County Transportation Commission •San Bernardino County Transportation Authority  
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies
- 

## **AGENDA**

### **Board of Directors Meeting**

**December 3, 2008**

**Start Time: 9:30 a.m.**

#### **LOCATION**

**San Bernardino Associated Governments  
Santa Fe Depot - SANBAG Lobby 1st Floor  
1170 W. 3rd Street, San Bernardino, CA**

#### **Board of Directors**

**President**

Gary Ovitt, Supervisor  
*County of San Bernardino*

**Vice-President**

Paul Eaton, Mayor  
*City of Montclair*

Charley Glasper, Mayor  
*City of Adelanto*

Rick Roelle, Council Member  
*Town of Apple Valley*

Lawrence Dale, Mayor  
*City of Barstow*

Bill Jahn, Mayor Pro Tem  
*City of Big Bear Lake*

Dennis Yates, Mayor  
*City of Chino*

Gwenn Norton-Perry, Council Member  
*City of Chino Hills*

Kelly Chastain, Mayor  
*City of Colton*

Mark Nuaimi, Mayor  
*City of Fontana*

Bea Cortes, Council Member  
*City of Grand Terrace*

Mike Leonard, Mayor  
*City of Hesperia*

Larry McCallon, Council Member  
*City of Highland*

Rhodes "Dusty" Rigsby, Mayor Pro Tem  
*City of Loma Linda*

Rebecca Valentine, Council Member  
*City of Needles*

Paul Leon, Mayor  
*City of Ontario*

Diane Williams, Council Member  
*City of Rancho Cucamonga*

Patricia Gilbreath, Mayor Pro Tem  
*City of Redlands*

Grace Vargas, Mayor  
*City of Rialto*

Patrick Morris, Mayor  
*City of San Bernardino*

Jim Harris, Council Member  
*City of Twentynine Palms*

John Pomierski, Mayor  
*City of Upland*

Mike Rothschild, Council Member  
*City of Victorville*

Richard Riddell, Mayor  
*City of Yucaipa*

William Neeb, Council Member  
*Town of Yucca Valley*

Brad Mitzelfelt, Supervisor  
*County of San Bernardino*

Paul Biane, Supervisor  
*County of San Bernardino*

Neil Derry, Supervisor  
*County of San Bernardino*

Josie Gonzales, Supervisor  
*County of San Bernardino*

Ray Wolfe, Caltrans  
*Ex-Officio Member*

Deborah Robinson Barmack  
*Executive Director*

*San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.*

*In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:*

***The San Bernardino County Transportation Commission***, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.

***The San Bernardino County Transportation Authority***, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.

***The Service Authority for Freeway Emergencies***, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.

***The Congestion Management Agency***, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.

***As a Subregional Planning Agency***, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.

*Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.*

**San Bernardino Associated Governments  
County Transportation Commission  
County Transportation Authority  
County Congestion Management Agency  
Service Authority for Freeway Emergencies**

**Board of Directors**

**AGENDA**

**December 3, 2008**

**9:30 a.m.**

**Location:**

**San Bernardino Associated Governments  
Santa Fe Depot  
SANBAG Lobby, 1st Floor  
1170 W. 3rd Street, San Bernardino**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.

Call to Order - 9:30 a.m. by Supervisor Gary Ovitt

- I. Pledge of Allegiance
- II. Attendance
- III. Announcements
  - Calendar of Events (Pg. 16)
- IV. Agenda Notices/Modifications – Vicki Watson

***Notes/Actions:***

1. **Possible Conflict of Interest Issues for the Board Meeting of Pg. 17  
December 3, 2008**

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

## **Consent Calendar**

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up under Agenda Item 32.

### **Administrative Matters**

2. **Board of Directors Attendance Roster** Pg. 19
3. **Procurement Report for October 2008** Pg. 23  
Receive Monthly Procurement Report. **William Stawarski**  
**This item was unanimously received by the Administrative Committee on November 12, 2008. (Meeting chaired by Paul Eaton)**
4. **2009 Board of Directors and Policy Committee Master Calendar** Pg. 25  
Approve the 2009 Board of Directors and Policy Committee Master Calendar. **Duane A. Baker**  
**This item was reviewed and unanimously recommended for approval by all SANBAG Policy Committees.**
5. **Executive Director Authority for Purchase Orders** Pg. 39  
Approve an amendment to Policy No. 11000 increasing the Executive Director's authority for approving Purchase Orders from \$25,000 to \$50,000. **Duane A. Baker**  
**This item was reviewed and unanimously recommended for approval by the Administrative Committee on November 12, 2008. (Meeting chaired by Paul Eaton)**
6. **San Bernardino County Economic Recovery Corporation** Pg. 41
  1. Support the concept and further definition of the San Bernardino Economic Recovery Corporation (SBERC) which will work to address the impact of the housing market decline on our local economy.
  2. Direct SANBAG staff to work with public and private partners in facilitating the development of this organization.
  3. Authorize the expenditures from Task No. 49009000 (Council of Governments New Initiatives) to fund SANBAG staff and consultant work in an amount not to exceed \$50,000. **Duane A. Baker****This item was reviewed and unanimously recommended for approval by the Administrative Committee on November 12, 2008. (Meeting chaired by Paul Eaton)**

**Consent Calendar Continued....**

**Administrative Matters (Cont.)**

**7. Construction Manager and Project Controls-Contract Manager Position Reclassifications Pg. 44**

1. Approve adjusting the Salary Ranges for the Project Controls-Contract Manager position from Salary Range 22-25 to Salary Range 28-32.

2. Approve adjusting the Salary Ranges for the Construction Manager from Salary Range 26-29 to Salary Range 28-32.

3. Authorize staff to begin recruiting for the Project Controls-Contract Manager and Construction manager positions pending final approval by the Board of Directors. **Duane A. Baker**

**This item was reviewed and unanimously recommended for approval by the Administrative Committee on November 12, 2008. (Meeting chaired by Paul Eaton)**

**Regional & Quality of Life Programs**

**8. Amendments to Contracts to extend Freeway Service Patrol (FSP) services on four beats for the time period of January 1 through April 30, 2009 Pg. 48**

1. Approve Contract No. 06-021a with Armada Towing to extend the contract term to April 30, 2009, as well as increase the contract not-to-exceed by \$169,688 for a total contract amount of \$1,712,005.14 as identified in the Financial Impact Section below; and

2. Approve Contract No. 042 with Pepe's Towing to extend the contract term to April 30, 2009, as well as increase the contract not-to-exceed amount by \$69,993 for a total contract amount of \$648,333 as identified in the Financial Impact section below. **Kelly Lynn**

**This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on November 19, 2008. The contract has been reviewed by Legal Counsel as to form. (Meeting chaired by Mark Nuaimi)**

**Consent Calendar Continued....**

**Subregional Trans. Planning & Programming**

**9. Measure I 2010-2040 Model Project Advancement Agreement (PAA) Pg. 58**

1. Approve and release revised model interagency agreement for reimbursement of eligible costs for projects advanced by member agencies with local (non-SANBAG) funds in the Valley Region.

2. Approve reimbursement for Nexus Study projects for which construction begins after January 31, 2009 through an Advancement Expenditure (AE) process included in the Measure I 2010-2040 Strategic Plan as described below. **Ty Schuiling**

**This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on November 19, 2008. (Meeting chaired by Mark Nuaimi)**

**10. Prioritization of Interchanges for the Measure I 2010-2040 Valley Freeway Interchange Program Pg., 69**

1. Approve the recommended methodology for prioritizing interchanges for the Measure I 2010-2040 Valley Freeway Interchange Program, including the use of vehicle-hours of delay saved per million dollars in total interchange cost as the basis for setting priorities.

2. Approve the interchange priority list in Table 1 as the basis for implementation of Measure I 2010-2040 funding allocation policies for the Valley Freeway Interchange Program, with acknowledgement that the I-10/Pepper interchange will receive further review. The list is to be updated at least every three years. **Ty Schuiling**

**This item was reviewed and unanimously recommended for approval by the Major Projects Committee on November 13, 2008. (Meeting chaired by John Pomierski)**

**Transit/Commuter Rail**

**11. License Agreement (SANBAG Agreement C09121) with the City of Redlands Pg. 77**

Approve License Agreement (SANBAG Agreement C09121) with the City of Redlands for the construction and maintenance of a bicycle and pedestrian trail between Grove Street and Nice Avenue within the former Atchison, Topeka and Santa Fe Railway Company's Redlands Subdivision. **Mike Bair**

**This item was reviewed by the Commuter Rail Committee on November 20, 2008 and unanimously recommended for approval. (Meeting chaired by Patricia Gilbreath)**

**Consent Calendar Continued....**

**Transit/Commuter Rail (Cont.)**

12. **Property Research for the former Southern Pacific Baldwin Park Branch** Pg. 103

Approve an increase in Purchase Order 08138 with the County of San Bernardino Surveyors Office for property research of the former Southern Pacific Baldwin Park Branch in the amount of \$20,000 for a new total of \$90,000 as identified in the Financial Impact Section.  
**Mike Bair**

**This item was reviewed by the Commuter Rail Committee on November 20, 2008 and unanimously recommended for approval. (Meeting chaired by Patricia Gilbreath)**

**Program Support/Council of Govts.**

13. **2009 State and Federal Legislative Program** Pg. 105

Approve the 2009 State and Federal Legislative Program.  
**Jennifer Franco**

**This item was reviewed by the Administrative Committee on November 12, 2008. (Meeting chaired by Paul Eaton)**

**Project Development**

14. **Amendment No. 1 to Construction Cooperative Agreement No. 08-164 (District Agreement No. 8-1322) with Caltrans and the City of Rialto for Interstate 10/Riverside Avenue Interchange Project** Pg. 115

Approve Amendment No. 1 to Cooperative Agreement No. 08-164 with Caltrans and the City of Rialto for the Interstate-10/Riverside Avenue Interchange Project construction activities. **Garry Cohoe**

**This item was reviewed and unanimously recommended for approval by the Major Projects Committee on November 13, 2008. SANBAG Counsel has reviewed and approved the agreement as to form. (Meeting Chaired by John Pomierski)**

**Consent Calendar Continued....**

**Project Development (Cont.)**

- 15. Construction advertising and bid package approval for SR-210 Establish Existing Planting Work for Segment 3 in the City of Rancho Cucamonga** Pg. 126

1. Approval of bid package (C09083) and authorization to staff to proceed with advertising for SR-210 Establish Existing Planting Work for Segments 3 in the City of Rancho Cucamonga.
2. Authorize staff to proceed directly to the SANBAG Board with contract award. **Garry Cohoe**

**This item was reviewed and unanimously recommended for approval by the Major Projects Committee on October 9, 2008. Counsel has reviewed and approved this contract as to form. (Meeting chaired by John Pomierski).**

- 16. Contract No. C09085 to provide Construction Zone Enforcement (COZEEP) services for Freeway Construction Projects** Pg. 155

Approve Contract No. C09085 for COZEEP services with the California Highway Patrol (CHP) for the Major Freeway Projects being managed by SANBAG in the amount not to exceed \$1,000,000 with an agreement term to June 30, 2010. **Garry Cohoe**

**This item was reviewed and unanimously recommended for approval by the Major Projects Committee on November 13, 2008. SANBAG Counsel has reviewed and approved this amendment as to form. (Meeting chaired by John Pomierski)**

- 17. Final Accounting for SR-210 Right-of-Way Costs** Pg. 163

1. Receive report on SR-210 final right-of-way capital expenditures totaling \$122,806,500
2. Acknowledge \$26,679,500 in expenditures over the programmed State Transportation Improvement Program (STIP) amount which will count against San Bernardino County's (STIP) share. **Garry Cohoe**

**This item was reviewed and unanimously recommended for approval by the Major Projects Committee on November 13, 2008. (Meeting chaired by John Pomierski)**



**Consent Calendar Continued....**

**Project Development (Cont.)**

18. **Cooperative Agreement No. 06-036 Amendment No. 3 with the City of Yucaipa for the construction of the Live Oak Canyon Road/Interstate 10 Freeway Interchange** Pg. 166

1. Approve Amendment No. 3 to Cooperative Agreement No. 06-036 with the City of Yucaipa for the Live Oak Canyon/Interstate 10 Freeway Interchange Project to increase the City of Yucaipa's construction funding contribution by \$1,729,043 and include SANBAG construction funding in the amount of \$300,000.

2. Extend the completion date for Cooperative Agreement No. 06-036 to December 31, 2009. **Garry Cohoe**

**This item was reviewed and unanimously recommended for approval by the Major Projects Committee on September 11, 2008. SANBAG Counsel has reviewed and approved this amendment as to form. (Meeting chaired by John Pomierski)**

19. **Freeway Corridors Toll Feasibility Study** Pg. 172

1. Approve Amendment No. 2 to the following purchase orders to extend the toll feasibility study on I-15 to the Future High Desert Corridor.

a. Purchase Order No. P08208-02 with PB Consult Inc. in the amount of \$280,313..

b. Purchase Order No. P08209-02 with KPMG Corporate Finance LLC in the amount of \$84,000.

c. Purchase Order No. P08209-20 with Nossaman, Guthner, Knox & Elliott LLP in the amount of \$30,000.

2. Approve a loan from the Measure 1990-2010 Valley Freeway Program of \$1,931,389 to:

a. the Measure I 2010-2040 Victor Valley Major/Local Highways Program in the amount of \$240,866;

b. the Measure I 2010-2040 Cajon Program in the amount of \$233,261; and

c. the Measure I 2010-2040 Valley Freeway Program in the amount of \$1,457,262.

3. Approve a budget amendment to the FY 2008/09 budget for an additional \$535,299 in TN 85009000. **Garry Cohoe**

**This item was reviewed by the Mountain Desert Committee on November 21, 2008. The Committee unanimously approved the item for an amount not to exceed \$250,000 for the Victor Valley sub-area, subject to Victor Valley Sub-Area Committee considering the item prior to bringing the item forward to the Board. (Meeting Chaired by Brad Mitzelfelt.) The sub-committee meeting is anticipated to occur prior to the December 3, 2008 Board meeting. A similar item was reviewed by the Strategic Plan Ad Hoc Committee on September 30, 2008 and by the Major Projects Committee on October 9, 2008.**

**Consent Calendar Continued....**

**Project Development (Cont.)**

20. **Construction and Maintenance Agreements with Burlington Northern, Santa Fe Railroad (BNSF) and Caltrans for the Interstate 215 Segments 1 and 2 Project** Pg. 181

1. Approve Agreement No. C09109 with BNSF and Caltrans to construct a new bridge over existing BNSF tracks at Ninth Street. TN 83810000.

2. Approve Agreement No. C09110 with BNSF and Caltrans to construct a new bridge over existing BNSF tracks at Baseline Street. TN 83810000.

3. Approve Agreement No. C09111 with BNSF and Caltrans to construct a new bridge over existing BNSF tracks at 16th Street. TN 83810000. **Garry Cohoe**

**This item was reviewed and unanimously recommended for approval by the Major Projects Committee on November 13, 2008. SANBAG Counsel has reviewed and approved the agreement as to form. (Meeting chaired by John Pomierski)**

21. **Design Cooperative Agreement Amendment No. A04-028-02 and C07-191-01 with Caltrans for the combined Connectors Project on SR-210 Segment 11 and Interstate 215 Segment 5 Project** Pg. 243

1. Approve Amendment No. 2 to Contract No. A-04-028 with Caltrans for the combined Connectors Project on SR-210 Segment 11 and I-215 Segment 5 Project in the amount of \$217,000.00

2. Approve Amendment No. 1 to Contract No. C07-191 with Caltrans for the Connectors Project on SR-210 Segment 11 in the amount of \$291,000.00 **Garry Cohoe**

**This item was reviewed and unanimously recommended for approval by the Major Projects Committee on November 13, 2008. SANBAG Counsel has reviewed and approved the agreement as to form. (Meeting chaired by John Pomierski)**

**Transportation Programs and Fund Administrations**

22. **Transportation Development Act (TDA) – Article 3 Pedestrian and Bicycle Facilities and Transit Stop Access Improvement Call for Projects** Pg. 270

Authorize the release of TDA Article 3 Biennial Call for Projects for

1) Pedestrian and Bicycle Projects and

2) Transit Stop Access Improvement Projects. **Mike Bair**

**This item was reviewed by the Plans and Programs Committee on November 19, 2008 and unanimously recommended for approval. (Meeting chaired by Mark Nuaimi)**

**Consent Calendar Continued....**

**Transportation Programs and Fund Administration (Cont.)**

**23. Transportation Development Act (TDA) Triennial Performance Audit Pg. 285**

Approve Contract C09056 with Pacific Municipal Consultants (PMC) for conducting the TDA Triennial Performance Audit of the San Bernardino County Transportation Commission and the following transit agencies: Omnitrans, Victor Valley Transit Authority, Mountain Area Regional Transit Authority, Morongo Basin Transit Authority, and the Cities of Barstow and Needles, in the amount not to exceed \$137,540.00 as identified in the Financial Impact Section.  
**Mike Bair**

**This item was reviewed by the Administrative Committee on November 12, 2008 and unanimously recommended for approval. (Meeting chaired by Paul Eaton)**

**24. Proposition 1B Trade Corridor Improvement Funds (TCIF) Revised Baseline Agreements for Grade Separation Projects Pg. 313**

1. Approve the following revised Proposition 1B Trade Corridor Improvement Funds (TCIF) draft Baseline Agreements with the California Transportation Commission (CTC):

- a. South Milliken Avenue Grade Separation Project (Contract No. C09016)
- b. Vineyard Avenue Grade Separation Project (Contract No. C09018)
- c. Archibald Avenue Grade Separation Project (Contract No. C09125)

2. Authorize the Executive Director to execute the final TCIF Baseline Agreements including technical and administrative changes that maybe necessary following CTC staff review. Should any policy issues arise, the Executive Director will consult with Board Officers.  
**Ty Schuiling**

**This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on November 19, 2008. (Meeting chaired by Mark Nuaimi)**

**Consent Calendar Continued....**

**Transportation Programs and Fund Administration (Cont.)**

25. **Quarterly Administrative Report on SANBAG Federal Funding Programs** Pg. 336
  - 1) Receive report on quarterly reporting and obligation status
  - 2) Adopt a finding of compliance with obligation requirements for all affected agencies. **Ty Schuiling**

**This item was reviewed and unanimously recommended for approval by the Planning and Programming Committee on November 19, 2008 and by the Mountain Desert Committee on November 21, 2008. (Plans and Programs chaired by Mark Nuaimi and Mountain Desert chaired by Brad Mitzelfelt)**
26. **Agreement C09-126 with Caltrans for Allocation of Funds Reserved for Project Planning, Programming, and Monitoring (PPM)** Pg. 342

Approve Agreement C09-126 with Caltrans for allocation to SANBAG of \$1,200,000, of Regional Share State Transportation Improvement Program (STIP) funds for PPM activities, as specified in the Financial Impact Section. **Ty Schuiling**

**This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on November 19, 2008. (Meeting chaired by Mark Nuaimi)**
27. **Amendment to Contract 06-038 with Transportation & Energy Solutions, Inc. for Construction Management Services for Tiers 1 and 2 of the San Bernardino Valley Coordinated Traffic Signal System Program** Pg. 350
  1. Approve Amendment No. 2 to Contract 06-038 with Transportation & Energy Solutions, Inc. for construction management services for Tiers 1 and 2 of the San Bernardino Valley Coordinated Traffic Signal System Program, increasing the contract amount by \$110,303., for a new total contract amount of \$679,679., and extend the contract completion date to December 31, 2008.
  2. Approve budget amendment to increase Task 70109000 in the amount of \$110,303. Funding source is Caltrans State Highway Operation and Protection Program (SHOPP). **Ty Schuiling**

**This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on November 19, 2008. (Meeting chaired by Mark Nuaimi)**

## **DISCUSSION ITEMS**

### **Program Support/Council of Governments**

**28. Federal Legislative Update**

Pg. 358

Receive Update from Steve Palmer of Van Scoyoc Associates, Inc. – SANBAG’s Federal Legislative Advocacy Consultant.

**Jennifer Franco**

**This item has had no prior policy committee review.**

### **Administrative Matters**

**29. Alternate Membership and Participation on Mountain/Desert Committee** Pg. 363

Approve an Amendment to Policy No. 10002 “SANBAG Policy Committee Membership” as it relates to a recommendation from the Mountain/Desert Committee to allow alternates to participate on that committee. **Duane A. Baker**

**This item was reviewed by the Mountain/Desert Committee on October 17, 2008 and recommended for approval (7-4-0). Opposed: Hansberger, Jahn, Harris and Neeb. (Meeting chaired by Brad Mitzelfelt). This item was reviewed by the Administrative Committee on November 12, 2008 and recommended for approval (5-1-0). Opposed: Eaton. (Meeting chaired by Paul Eaton).**

**30. Southern California Association of Governments Regional Council Membership** Pg. 366

***President’s Recommendation:***

(1) Reconsider SANBAG being a dues paying member of the Southern California Association of Governments (SCAG) Regional Council as requested by SANBAG President Gary Ovitt;

(2) Direct staff to reactivate SCAG membership through payment of the annual dues assessment of \$25,000; and

(3) Appoint a SANBAG Board Member to represent SANBAG as a Regional Council Member,

***Prior Action and Recommendation:***

Reaffirm the SANBAG Board of Directors action to discontinue SANBAG’s membership on the SCAG Regional Council.

**Duane A. Baker**

**This item was originally reviewed and recommended for approval by the Administrative Committee to not be a dues-paying member of the SCAG Regional Council on August 13, 2008. (Meeting chaired by Paul Eaton.) This item was originally reviewed and recommended for approval by the Board of Directors to not be a dues-paying member of the SCAG Regional Council on October 1, 2008. (Meeting chaired by Gary Ovitt)**

**Discussion Items Continued....**

**Project Development**

31. **Contract No. C09-100 with DMJM+HARRIS, Inc. for construction engineering support on I-215, Segments 1 and 2** Pg. 368

Approve Sole Source Contract No. C09-100 with DMJM+HARRIS, Inc. for construction engineering support on I-215, Segments 1 and 2 in the amount of \$400,000 as detailed in the Financial Impact Section. TN 83809000. **Garry Cohoe**

**This item was reviewed and unanimously recommended for approval by the Major Projects Committee on November 13, 2008. This item has been reviewed by SANBAG Counsel. (Meeting chaired by John Pomierski)**

**Other Matters**

32. **Consent Calendar Items Pulled for Discussion**

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

**Comments from Board Members**

**Brief Comments from Board of Directors**

**Public Comment**

**Brief Comments by the General Public**

**ADJOURNMENT**

**Additional Information**

**Agency Reports/Committee Memberships**

Commuter Rail Report Pg. 380

Mayor Pro Tem Patricia Gilbreath

South Coast Air Quality Management Report Pg. 383

Mayor Dennis Yates

Mobile Source Air Pollution Reduction Review Committee (MSRC) Pg. 385

Council Member Gwenn Norton-Perry

**SCAG Committees**

Pg. 389

SCAG Regional Council

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

**SANBAG Policy Committees**

Pg. 390

**Acronym List**

Pg. 393

Complete packages of this agenda are available for public review at the SANBAG offices and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov). Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

## Meeting Procedures and Rules of Conduct

### **Meeting Procedures**

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

### **Accessibility**

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

**Agendas** – All agendas are posted at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov). Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

**Agenda Actions** – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

**Closed Session Agenda Items** – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

**Public Testimony on an Item** – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

**Agenda Times** – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

**Public Comment** – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in "Public Testimony on any Item" still apply.*

**Disruptive Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*



**SANBAG General Practices for Conducting Meetings  
of  
Board of Directors and Policy Committees**

**Basic Agenda Item Discussion.**

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

**The Vote as specified in the SANBAG Bylaws.**

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

**Amendment or Substitute Motion.**

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

**Call for the Question.**

- At times, a member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

**The Chair.**

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

**Courtesy and Decorum.**

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

*Adopted By SANBAG Board of Directors January 2008*



## Important Things to Know for ... December 2008

**SANBAG Meetings – Cancelled:**

None

**SANBAG Meetings – Scheduled:**

SCAG Delegates	Dec. 3	After Board Mtg.	The Super Chief
Administrative Committee	Dec. 10	9 a.m.	The Super Chief
SCRRA Delegates Briefing	Dec. 10	10:30 a.m.	Casa Del Desierto
Major Projects Committee	Dec. 11	9 a.m.	The Super Chief
Plans and Programming Committee	Dec. 17	12 noon	The Super Chief
Commuter Rail Committee	Dec. 18	12 noon	The Super Chief
Mountain-Desert Committee	Dec. 19	9 a.m.	Town of Apple Valley

**Other Meetings:** None

For additional information, please call SANBAG at (909) 884-8276

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